

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Baltimore County, Maryland

In the Matter of  
Imtiaz Hussain  
Respondent

Civil Citation No. 62802  
8 East Overlea Avenue

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on August 11, 2009 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 206-402, illegal conversion of dwelling on residential property known as 8 East Overlea Avenue, 21206.

On July 27, 2009, pursuant to Baltimore County Code §3-6-205, Inspector Daniel O'Neill issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$8,000.00 (eight thousand dollars).

The following persons appeared for the Hearing and testified: Imtiaz Hussain, along with Raza Ibrahim Hassan; and Daniel O'Neill, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. A Correction Notice was issued on June 17, 2009 for illegal conversion of single-family dwelling, and to cease mice infestation. This Citation was issued on July 27, 2009.

B. Inspector O'Neill testified that he inspected this property at the request of a tenant who complained of mice infestation. The owners hired an extermination company to abate the infestation, so that violation was corrected.

C. Inspection found this single-family house has been converted illegally into a multi-family residence with multiple tenants. Respondent Hassan testified that the main floor tenant was evicted on July 10, 2009 and that he will rent the property to one family in the future. Respondents have applied for a Rental Housing License and are waiting for their lead paint certificate to complete the application.

D. According to the evidence presented, Respondents have corrected the violation by reducing the occupancy to one tenant family. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if inspection confirms that the violation has been corrected.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that if re-inspection finds the violation corrected and no illegal conversion to multifamily housing, the civil penalty will be RESCINDED and reduced to zero dollars. If the Respondent fails to correct the violations, the civil penalty shall be imposed.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 18<sup>th</sup> day of August 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

**NOTICE TO RESPONDENT:** The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.